

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, SEPTEMBER 10, 2001

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Borys, Dale, Kreider, Raser, Senhauser, Spraul-Schmidt, present. Members absent: Bloomfield, Sullebarger and Wallace.

MINUTES

The minutes of the August 20, 2001, meeting were approved (motion by Spraul-Schmidt second by Borys).

CERTIFICATE OF APPROPRIATENESS, 554 LIBERTY HILL, PROSPECT HILL HISTORIC DISTRICT

Staff member Caroline Kellam summarized the staff report on this application to replace the roof, install a new skylight and convert windows to French doors on the side elevation of 554 Liberty Hill, a contributing building within the district. The proposed roof alterations are out of the sight lines from the street; the proposed French doors are on a minor, side elevation of the building and screened by a porch. Ms. Kellam showed photographs of the property taken from points higher on the hillside which indicate the new construction will not be visible from the public way. No one attended a pre-hearing; the community submitted no comments.

Don Beck, architect and owner of the building, was present. Mr. Beck confirmed that the front cornice will not be altered and that the HVAC equipment replaces existing equipment. Ms. Kellam confirmed that the rooftop work will not be visible from the public way on Liberty Hill, Highland Avenue or Boal and Milton Streets.

BOARD ACTION

The Board voted unanimously (motion by Dale second by Kreider) to approve a Certificate of Appropriateness for the proposed new skylight, roof-mounted HVAC equipment, terne roof and window alterations at 554 Liberty Hill per plans submitted, dated 8/24/01.

ZONING VARIANCE, 533 WEST 13TH STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Urban Conservator William Forwood summarized the staff report on this application for a zoning variance for residential density for this contributing building in the district. He indicated that the building presently contains eight occupied residential units on the first four floors and two unoccupied units in the fifth floor attic. Mr. Forwood said that when the current owner purchased the property in 1999, the two attic units were used for storage. The existing plan, a fire escape and the presence of windows within the front/street cornice indicate that the attic had accommodated two residential units at some time in its history. After upgrading the electrical and plumbing in the attic units in preparation for rental, the owner learned that, because

the units had not been occupied within the last two years, a zoning variance would be required for their residential use. The property is located in an R-6 (Multi-Family High Density) zoning district that requires a minimum lot size of 10,000 square feet for a ten-unit building; the subject lot is approximately 2,125 square feet. Staff recommended approval of the application to return the two attic units to residential use.

[Mr. Raser joined the meeting.]

Mr. Forwood confirmed that the variance is required because the upper two units have not been in continuous use as residential space during the last two years.

Ms. Spraul-Schmidt moved, with a second by Mr. Dale, to approve the staff report.

Owner Carlos A. Miller spoke in favor of the motion. Mr. Alex Balz, 532 East 13th Street, a resident of one year, and Mr. Stephen Ramsey, 536 East 13th Street, a resident for one year and three months, opposed the addition of two residential units on a quality of life issue. They agreed that on-street parking is already so congested that street cleaning is a problem and that the present residents of 533 West 13th contribute to the problems of litter, public intoxication and drug use. Mr. George Verkamp, 1315 Spring Street, concurred with Mr. Balz and Mr. Ramsey and said that approval of two extra units in the building would not be constructive for the historic preservation of the building. He suggested board members visit the property to appreciate the impact that two more units will have on the neighborhood.

Mr. Raser pointed out that, with two extra units, the owner could reinvest the extra income in improvements for the property. He said approval of the extra two units would only add four people and one or two cars to the area.

Mr. Dale calculated that the R-6 zoning allows a density of approximately 40 dwelling units per acre density and that the density of ten-unit building on 2,125 square feet would be about 200 dwelling units per acre, a density approximately five times that permitted. He said that this was a significant increase and that the Board's decision should be made based on the density of the neighborhood. Mr. Dale made a motion that the application be tabled until the existing residential density of area had been determined. The motion received no second.

Mr. Kreider stated that three-quarters to four-fifths of OTR is already non-conforming because of the historic density patterns. He said the Board must be careful in denying a variance to one property owner that it is not denying him a valuable property right enjoyed by other property owners in the vicinity. He said the population density of OTR is less than even ten years ago and that the density continues to decline as five- and six-family buildings are converted to one- or two-family residences. Mr. Senhauser said the decision must be made as to whether or not the two extra units will be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located.

Mr. Dale suggested and Ms. Spraul-Schmidt agreed to an amendment to the motion under consideration to include a finding that the approval of the zoning variance

would restore the building to a previous residential density as evidenced by existing windows at the cornice level and the attic floor plan.

Mr. Miller said the density of other buildings on the block is approximately the same as that at 533 East 13th Street. He said that because of the congestion problems, he has chosen to rent other buildings he owns in the area as one-bedroom units rather than two-bedroom as allowed by zoning.

Mr. Kreider said he favored the variance because the neighborhood was built as a very dense neighborhood; the buildings must bring a reasonable rate of return on investment to be viable buildings. Ms. Borys said the neighbors' concerns about inadequate street cleaning and trash removal are not most effectively addressed through limitations on a single property.

BOARD ACTION

The Board voted (four in favor, Mr. Dale opposed) to approve a Zoning Variance to allow two additional residential units in the attic of 533 East 13th Street (for a total of ten units on an existing 2,150 square foot lot), finding that granting such relief:

- a) is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural, or aesthetic integrity of the district; and
- b) will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located; and
- b) would restore the building to a previous residential density as evidenced by existing windows at the cornice level and the attic floor plan.

PRELIMINARY DESIGN REVIEW , 1003 AND 1009-1011 RACE STREET, COURT STREET HISTORIC DISTRICT AND DOWNTOWN DEVELOPMENT DISTRICT

Staff member Adrienne Cowden summarized the staff report for painting, storefront rehabilitation and signage for these two buildings. She said that each building had been identified in the historic district guidelines as "incompatible" because of its metal siding, but with the siding removed, the buildings may be "compatible." Ms. Cowden indicated the buildings are two separate structures and should be treated as such. She distributed elevation drawings showing alternative color combinations for the two structures.

The larger building at 1009-1011 Race Street is a four-story commercial building; the first story (including the storefront windows) is covered by siding. The second story is unpainted, with original orange and maroon-red brickwork. The façade of the third and fourth stories is painted dark gray with a painted wall sign "Nationally Advertised Brands." The one-story commercial building at 1003 Race Street may have been an automobile showroom and garage. Corrugated aluminum panels obscure large portions of the simple wire-cut brickwork and nearly all the storefront on both the Race and Court Street facades. The windows of both buildings have been entirely covered by insulated interior partition walls.

The property owner, Mr. Tom Cappel of Buckeye Sales, Inc., indicated that the building is presently used as warehousing for his wholesale florist business. Customers enter the building through a small entryway in the side elevation from a parking lot at the corner of Race and Court. Mr. Cappel said he does not wish to change the use of the building and is most concerned that he not be required to re-establish a Race Street storefront/entrance if he were to remove the metal siding from the building.

Mr. Senhauser commented that the building's importance is as a placeholder and a viable business rather than a significant building. He assured the owner that the HCB would not require restoration of the façades to their original configuration. He suggested that the composition of the upper floor windows be carried down to the first floor; the storefront might be infilled with masonry recessed a few inches to reveal the original openings. Ms. Borys suggested that the buildings be painted a single color, permitting the play of shadow and plane; the horizontal band of color across the first floor gives continuity to the two structures.

No Board action was necessary because this was a preliminary design review.

OTHER BUSINESS

Over the Rhine (North) Historic District--Mr. Forwood announced a hearing before Councilmember Booth's committee on September 18, 2001. Depending on that committee's action, the designation may be heard by City Council either September 19 or 26. There was no opposition to the District at the City Planning Commission hearing on August 24, 2001.

Mohawk Interim Development Control District (IDC)--A three month IDC was approved by City Planning Commission on September 7, 2001. HCB member Kreider testified at the hearing. The designation request will go directly to City Council and should be on the agenda for either September 19 or 26. Mr. Forwood said that a designation study of a Mohawk Historic District is underway and should be completed in the next three or four months; the proposed guidelines for the Over-the-Rhine (North) Historic District would be used for a Mohawk Historic District.

ADJOURNMENT

As there was no other business, the meeting adjourned (motion by Spraul-Schmidt second by Borys).

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date